



DEPARTMENT OF THE NAVY

OFFICE OF THE CHIEF OF NAVAL OPERATIONS
2000 NAVY PENTAGON
WASHINGTON, DC 20350-2000

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Ser DNS-36JP/14U105788

7 Jul 14

Mr. Steve Liewer
Omaha World-Herald
1314 Douglas Street
Omaha, NE 68102

Dear Mr. Liewer:

SUBJECT: YOUR FREEDOM OF INFORMATION ACT REQUEST;
FOIA TRACKING NUMBER DON-NAVY-2014-003810

This is in reference to your Freedom of Information Act (FOIA) request dated March 11, 2014. Your request was received in our office on March 11, 2014.

On receipt of your request, we contacted the Office of the Judge Advocate General, Claims & Tort Litigation (OJAG Code 15), who advised that they were unable to locate a copy of the original JAGMAN, but they did locate a redacted copy of a previous FOIA release. This previous release is provided to you in its entirety.

Because exemptions were claimed in the previous FOIA release, and the release occurred over 10 years ago, we determined that a new review must be conducted for releasability of the redacted information. Because OJAG Code 15 was unable to locate responsive records, we contacted U.S. Pacific Fleet (PACFLT), who coordinated with Naval Air Force, Pacific Fleet (NAVAIRPAC) and Patrol and Reconnaissance Force, Pacific Fleet (PATRECONFORPAC). PACFLT advised that PACFLT, NAVAIRPAC, and PATRECONFORPAC would not hold responsive records.

PACFLT advised that, in accordance with records retention schedules, JAGMAN reports of a certain age are routinely transmitted to OJAG Code 15 and destroyed. OJAG Code 15 advised that they have no record of receipt of the JAGMAN from PACFLT. As a result, we are unable to locate an unredacted copy of the JAGMAN and unable to conduct the necessary review.

Due to the nature of the event, we determined that The Naval Safety Center (NAVSAFE) may have conducted an investigation into the incident as well. NAVSAFE conducted a search of their records

and advised that they were unable to locate any responsive records.

Because we were unable to locate responsive records, you are advised of your right to appeal the adequacy of our search by writing to:

Office of the Judge Advocate General
1322 Patterson Ave, SE, Ste 3000
Washington Navy Yard, DC 20374-5066

Your appeal must be postmarked within sixty calendar days from the date of this letter. A copy of your initial request and this letter must accompany the appeal. The appeal should be marked "FREEDOM OF INFORMATION APPEAL" both on the envelope and the face of the letter. In order to expedite the appellate process and ensure full consideration of your appeal, your appeal should contain a brief statement of the reasons you believe this decision to be in error.

Questions regarding the action this office has taken during the initial processing of your request may be directed to our FOIA service center at (202) 685-0412.

Sincerely,

A handwritten signature in black ink, appearing to read "Robin Patterson", with a long, sweeping horizontal line extending to the right.

Robin Patterson
Head, DON FOIA/PA Program Office